

# **CITY OF HAYWARD**

## **AGENDA REPORT**

AGENDA DATE 04/22/03

AGENDA ITEM 7

WORK SESSION ITEM \_\_\_\_\_

**TO:** Mayor and City Council

**FROM:** City Manager

**SUBJECT:** Contract Amendment with Smith, Watts and Company

### **RECOMMENDATION:**

It is recommended that the City Council adopt the attached resolution amending the agreement with Smith Watts and Company for additional services in connection with the 238 Corridor Improvement Project.

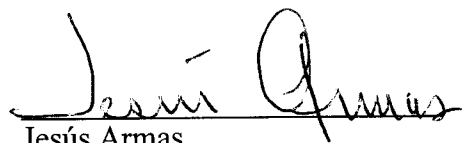
### **DISCUSSION:**

For a number of years, the City has retained the firm of D.J. Smith Associates to provide technical assistance and representation concerning the implementation of the Route 238 Bypass Project. Over the years the firm, now known as Smith, Watts and Company (SWC), provided valuable assistance to the City in our interactions with various state and federal agencies to preserve funding for the original project.

As the Council is aware, an alternative to the Bypass Project is presently under consideration. This alternative is a very complicated project and raises numerous issues that will need to be addressed and resolved. Resolution of these issues likely will require favorable action on the part of regulatory agencies as well as the state legislature. For example, cooperation and agreement will need to be secured from Caltrans and the California Transportation Commission if any portions of the state highways are to be relinquished to the City. Similarly, agreement from the State will be needed to preserve funding for this project, and any additional funding that may become available as a result of the disposition of the original right of way for the 238 project. The expertise provided by SWC will be of immense help to the City as these issues are addressed and resolved.

The alternative project will require services from SWC that are greater than those called for under the present agreement. It is therefore necessary to amend the current contract with the firm. Staff and SWC have negotiated an agreed upon price of \$2750 per month for these additional services. As this additional amount is in excess of what staff can approve administratively, Council authorization for this amendment is requested. Funds are available in the 238 fund for this purpose. It is therefore recommended that the Council authorize an

amendment to the agreement with SWC in the amount of \$33,000 annually and that funds be appropriated for this purpose.

A handwritten signature in black ink, appearing to read "Jesús Armas", written over a horizontal line.

Jesús Armas  
City Manager

# DRAFT

HAYWARD CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_

Introduced by Council Member \_\_\_\_\_

*mhl*  
*4/15/03*

RESOLUTION AUTHORIZING THE CITY MANAGER TO  
EXECUTE AN AMENDMENT TO THE AGREEMENT WITH  
SMITH, WATTS AND COMPANY FOR ADDITIONAL  
PROFESSIONAL SERVICES IN CONNECTION WITH THE  
238 CORRIDOR IMPROVEMENT PROJECT

BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized and directed to execute an amendment to the agreement with Smith, Watts and Company for additional professional services in connection with the 238 Corridor Improvement Project, in an amount not to exceed \$33,000 annually, and that funds be appropriated from the 238 fund for this purpose.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2003

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:  
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward